

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

DELPHI CORPORATION, et al.,

Chapter 11
Case No. 05-44481 (RDD)
(Jointly Administered)

Debtors.

CREDITOR'S MOTION FOR COURT ENFORCEMENT

NOW COMES the above mentioned Creditor, Robert Backie and hereby brings this Motion for Court Enforcement for an agreed upon settlement stating more fully as follows:

1. That on September 6, 2007, the court authorized a settlement wherein the debtor was to provide \$300,000.00 to the Creditor by October 31, 2007.
2. That notwithstanding the agreed upon payment; the debtor has failed to make good on their agreement.
3. That Creditor's counsel has attempted on several different occasions to speak with Debtor's counsel and Debtor's counsel had not returned any of Creditor's telephone calls.
4. That Creditor hereby requests that this Honorable Court enter an Order ordering the Debtor to fulfill its financial obligations to the Creditor pursuant to the attached agreement. **See agreement attached as Exhibit A.**

Dated: August 19, 2009

Respectfully submitted,

THE MASTROMARCO FIRM

s/ Victor J. Mastromarco, Jr.

Victor J. Mastromarco, Jr. (P34564)

Attorney for Creditor

vmastromar@aol.com

PROOF OF SERVICE

I hereby certify that on **August 19, 2009**, I presented the foregoing paper to the Clerk of the Court for filing and uploading to the ECF system which will send notification of such filing to all parties of record, and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants:

N/A.

s/ Victor J. Mastromarco, Jr.
Victor J. Mastromarco, Jr. (P34564)
Attorney for Creditor
vmastromar@aol.com